

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

GAREY E. LINDSAY, Regional Director  
of the Ninth Region of the National Labor  
Relations Board, For and On Behalf of the  
NATIONAL LABOR RELATIONS BOARD,

Case No. 3:15-mc-008

Judge Thomas M. Rose  
Chief Magistrate Judge Sharon L. Ovington

Applicant,

v.

BRITTNEY HUNTER, an individual,

and

FREDERICK ARMSTRONG, an individual,

Respondents.

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**ORDER PARTIALLY DISMISSING CASE WITHOUT PREJUDICE**

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On June 3, 2015, the National Labor Relations Board (the “Board”) filed an Application for Order Requiring Obedience to Subpoenas Ad Testificandum (Doc. 1). The Board has advised the Court that Respondent Frederick Armstrong has complied with the subpoena and provided testimony, and therefore requests dismissal without prejudice of this matter as to Armstrong only. Accordingly, this matter is DISMISSED without prejudice as to Armstrong only.

**DONE** and **ORDERED** in Dayton, Ohio, this Friday, June 19, 2015.

s/ Thomas M. Rose

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THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE